

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Joseph Krol

(b) County of Residence of First Listed Plaintiff Cook, Illinois  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (First Name, Address, and Telephone Number)  
Carl Malmstrom, Wolf Haldenstein Adler Freeman & Herz LLC; 111 W.  
Jackson Blvd., Suite 1700, Chicago, IL 60604; (312) 984-0000

**DEFENDANTS**

Medscan Laboratory, Inc.

County of Residence of First Listed Defendant Williams, ND  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |  |
|--|--|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question<br>(U.S. Government Not a Party)                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity<br>(Indicate Citizenship of Parties in Item III) |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
(For Diversity Cases Only)

Citizen of This State	PTF	DEF	PTF	DEF
<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 1	<input type="checkbox"/>	<input type="checkbox"/> 4
<input type="checkbox"/> 2	<input checked="" type="checkbox"/>	<input type="checkbox"/> 2	<input type="checkbox"/>	<input type="checkbox"/> 5
<input type="checkbox"/> 3	<input type="checkbox"/>	<input type="checkbox"/> 3	<input type="checkbox"/>	<input type="checkbox"/> 6
Citizen or Subject of a Foreign Country				
Personal Injury Product Liability				
Product Liability				
PERSONAL PROPERTY				
365 Personal Injury - Product Liability	<input type="checkbox"/>			
367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/>			
368 Asbestos Personal Injury Product Liability	<input type="checkbox"/>			
370 Other Fraud	<input type="checkbox"/>			
371 Truth in Lending	<input type="checkbox"/>			
380 Other Personal Property Damage	<input type="checkbox"/>			
385 Property Damage Product Liability	<input type="checkbox"/>			
PERSONAL INJURY				
310 Airplane	<input type="checkbox"/>			
315 Airplane Product Liability	<input type="checkbox"/>			
320 Assault, Libel & Slander	<input type="checkbox"/>			
330 Federal Employers' Liability	<input type="checkbox"/>			
340 Marine	<input type="checkbox"/>			
345 Marine Product Liability	<input type="checkbox"/>			
350 Motor Vehicle	<input type="checkbox"/>			
355 Motor Vehicle Product Liability	<input type="checkbox"/>			
360 Other Personal Injury	<input type="checkbox"/>			
362 Personal Injury - Medical Malpractice	<input type="checkbox"/>			
PROPERTY RIGHTS				
820 Copyrights	<input type="checkbox"/>			
830 Patent	<input type="checkbox"/>			
835 Patent - Abbreviated New Drug Application	<input type="checkbox"/>			
840 Trademark	<input type="checkbox"/>			
LABOR				
710 Fair Labor Standards Act	<input type="checkbox"/>			
720 Labor/Management Relations	<input type="checkbox"/>			
740 Railway Labor Act	<input type="checkbox"/>			
751 Family and Medical Leave Act	<input type="checkbox"/>			
790 Other Labor Litigation	<input type="checkbox"/>			
791 Employee Retirement Income Security Act	<input type="checkbox"/>			
SOCIAL SECURITY				
861 HIA (1395ff)	<input type="checkbox"/>			
862 Black Lung (923)	<input type="checkbox"/>			
863 DIWC/DIWW (405(g))	<input type="checkbox"/>			
864 SSID Title XVI	<input type="checkbox"/>			
865 RSI (405(g))	<input type="checkbox"/>			
FEDERAL TAX SUITS				
870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/>			
871 IRS—Third Party	<input type="checkbox"/>			
26 USC 7609	<input type="checkbox"/>			
IMMIGRATION				
462 Naturalization Application	<input type="checkbox"/>			
465 Other Immigration Actions	<input type="checkbox"/>			
REAL PROPERTY				
440 Other Civil Rights	<input type="checkbox"/>			
441 Voting	<input type="checkbox"/>			
442 Employment	<input type="checkbox"/>			
443 Housing/ Accommodations	<input type="checkbox"/>			
445 Amer. w/Disabilities - Employment	<input type="checkbox"/>			
446 Amer. w/Disabilities - Other	<input type="checkbox"/>			
448 Education	<input type="checkbox"/>			
Habeas Corpus:				
463 Alien Detainee	<input type="checkbox"/>			
510 Motions to Vacate Sentence	<input type="checkbox"/>			
530 General	<input type="checkbox"/>			
535 Death Penalty	<input type="checkbox"/>			
Other:				
540 Mandamus & Other	<input type="checkbox"/>			
550 Civil Rights	<input type="checkbox"/>			
555 Prison Condition	<input type="checkbox"/>			
560 Civil Detainee - Conditions of Confinement	<input type="checkbox"/>			

**V. ORIGIN** (Place an "X" in One Box Only)

- |   |   |  |   |  |  |   |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
**28 USC 1332(d)**

VI. CAUSE OF ACTION  
Brief description of cause:  
**Negligence, Illinois Consumer Fraud Act, Unjust enrichment**

VII. REQUESTED IN COMPLAINT:  CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint:  
JURY DEMAND:  Yes  No

VIII. RELATED CASE(S) IF ANY  
(See instructions): JUDGE Daniel M. Traynor DOCKET NUMBER 1:22-cv-69

DATE SIGNATURE OF ATTORNEY OF RECORD  
**May 23, 2022**  
/s/ Carl V. Malmstrom

FOR OFFICE USE ONLY RECEIPT # AMOUNT APPLYING IFF JUDGE MAG. JUDGE